

REMARKS

As a preliminary matter, Applicant's representative would like to thank Primary Examiner Budd for courtesies extended in the personal interview conducted on October 18, 2005.

An Examiner's Interview Summary Record (PTOL-413) was mailed by the Examiner on October 21, 2005. Applicant submits this Statement to comply with the requirements of M.P.E.P. § 713.04.

In the interview, the following was discussed:

A. Identification of claims discussed:

1-18.

B. Identification of prior art discussed:

Takeishi et al.

C. Identification of principal proposed amendments:

Applicant noted that an Amendment under 37 C.F.R. § 1.111 would be filed which adds new claims 12-18 to claim additional features of the invention.

D. Brief Identification of principal arguments:

Applicant's representative noted that the Examiner was relying on Figures 2 and 11-13 of Takeishi as disclosing "*the structure of a piezoelectric bulk resonator flip-chip mounted to a substrate using bumps #21 that are typically 5 μ m*" (see Takeishi at column 10, line 7).

However, Applicant's representative noted that column 10, line 7, of Takeishi, considered in its entirety, refers to "*the portions of the electrodes 13A, 13B, and 15, at which the bumps 21 are formed, each have a thickness of about 5 μ m*" (emphasis added).

That is, the portions of the electrodes 13A, 13B, and 15 each have a thickness of about 5 μ m, not the bumps 21.

In comparison, independent claim 1 recites, *inter alia*, that “a distance between a surface of said piezo-electric resonator facing said packaging substrate and a surface of said packaging substrate facing said piezo-electric resonator being not larger than 100 μ m” (emphasis added).

Thus, for at least this reason, the cited portion of Takeishi being relied upon by the Examiner clearly does not disclose or suggest that which it is being relied upon to show.

Therefore, the alleged combination of Takeishi and Onishi does not disclose or suggest all of the features of independent claim 1.

For the foregoing reasons, independent claim 1 clearly is not rendered obvious from Takeishi and Onishi, either individually or in combination.

E. Results of the Interview:

The Examiner agreed to reconsider the relied upon portion of Takeishi, et al.

F. Conclusion:

For the foregoing reasons, Takeishi and Onishi, either individually or in combination do not disclose or suggest all of the features of the claimed invention.

Therefore, the Examiner is requested to reconsider and withdraw this rejection and to permit claims 1-11 to pass to immediate allowance.

Should the Examiner have any questions or concerns, the Examiner respectfully is requested to contact Applicant's representative prior to issuing a next Office Action.


It is believed that no petition or fee is required. However, if the USPTO deems otherwise, the Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

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Respectfully Submitted,

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